

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA**

**PINE TELEPHONE COMPANY,** )  
**INC., an Oklahoma corporation, and** )  
**PINE CELLULAR PHONES, INC.,** )  
**An Oklahoma corporation,** )  
**Plaintiff,** )

**vs.** )

**Case No. CIV-11-353-JHP-KEW**

**ALCATEL-LUCENT USA, INC.,** )  
**a Delaware corporation, f/k/a ALCATEL** )  
**USA MARKETING, INC.,** )  
**Defendant.** )

**ORDER**

This matter comes before the Court on Defendant's Motion for Attorneys' Fees (Dkt.# 312) and Plaintiff's Motion for Attorneys' Fees (Dkt.# 317). On May 13, 2014 the Magistrate Judge issued a Report and Recommendation on these motions. There have been no objections filed. The Magistrate Judge recommended that pursuant to the stipulation and agreement of counsel, Dkt.#s 312 and 317, as well as the Bills of Costs, Dkt#s 309 and 311 be Stayed pending the outcome of Plaintiff's appeal before the Tenth Circuit Court of Appeals. Based on an independent review of the record, the Court adopts the Report and Recommendation as this Court's Order.

**IT IS SO ORDERED** this 19<sup>th</sup> day of June, 2014.

  
James H. Payne  
United States District Judge  
Eastern District of Oklahoma